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Attorney for Plaintiff, ES, a minor
by and through her Guardian Ad Litem, Ross Sandberg

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ES, a minor by and through her Guardian Ad Litem, Ross Sandberg,)	Case No.
Plaintiff,)	
vs.)	COMPLAINT FOR MEDICAL MALPRACTICE ALLEGING NEGLIGENCE UNDER FTCA
Ampla Health; Ammar Changezi, MD; United States of America; and Does 1-10;)	1. MEDICAL MALPRACTICE – GENERAL NEGLIGENCE
Defendants.)	

Plaintiff, ES, A MINOR BY AND THROUGH HERE GUARDIAN AD LITEM, Ross
Sandberg ("Plaintiff"), alleges as follows:

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JURISDICTION

1. Jurisdiction exists under 28 U.S. Code § 1346 (b)(1) because it is subject to the provisions of chapter 171 of this title, the district courts, together with the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting

1 within the scope of his office or employment, under circumstances where the United States, if a
2 private person, would be liable to the claimant in accordance with the law of the place where the act
3 or omission occurred.

4 2. The United States of America is a party to this action and Defendant Ampla Health is
5 a federally funded health facility and Ammar Changezi, MD is an employee of Ampla Health.

6 /

7 **VENUE**

8 3. Venue is proper under 28 U.S.C. §1391 because, for venue purposes, one or more
9 defendants resides and/or does business in this judicial district.

10 /

11 **PARTIES (Defendants)**

12 4. Ampla Health, A Federally Qualified Health Center, 680 Cohasset Rd., Chico, Butte
13 County, California 95926, Tel: 530.342.4395.

14 5. Ammar Changezi, MD, an employee of Ampla Health, 680 Cohasset Rd., Chico,
15 Butte County, California 95926, Tel: 530.342.4395

16 6. United States of America

17 7. Does 1-10, unknown employees of Ampla Health

18 /

19 **STATEMENT OF CLAIM**

20 8. Plaintiff, ES, A MINOR, was examined by Dr. Ammar Changezi on April 5, 2018
21 and he noted a significantly decreased red reflex in the left eye signaling a cataract condition. He
22 referred ES, a minor, for an eye exam at Peach Tree Vision by an ophthalmologist.

23 9. Dr. Ammar Changezi negligently failed to advise the father, Ross Sandberg, as to the
24 significance of the finding and need for urgent ophthalmology referral.

25 10. Ampla Health staff negligently failed to inform Mr. Sandberg of further instructions
26 regarding the specialty referral including the name and number of Peach Tree Vision.

27 11. Ampla Health and Dr. Ammar Changezi negligently failed to follow up on the referral
28

1 and no follow-up letter was sent to the Sandberg's.

2 12. Aside from the negligent initial lack of follow-up ES, A MINOR, was seen on five
3 separate occasions between the dates of October 19, 2018 and October 1, 2019 and no mention was
4 made or noted on those five visits of the significantly reduced red reflex.

5 13. Dr. Ammar Changezi and Ampla Health negligently breached the standard of care by
6 not following up with the initial referral and subsequently negligently failed to properly manage care
7 of ES, A MINOR, through a breakdown in the referral process including transfer tracking and care
8 integration.

9 14. On October 16, 2019 Plaintiff ES, A MINOR, was seen by Chico Eye Center and
10 diagnosed with refractive amblyopia.

11 15. ES, A MINOR, was seen at Peach Tree Health on October 25, 2019 and diagnosed
12 with congenital cataract and referred to U.C. Davis Medical Center where surgery was performed on
13 January 13, 2020 for cataract removal.

14 16. As a direct and proximal result of the negligence of Dr. Ammar Changezi and Ampla
15 Health, a FQHC funded by Defendant United States of America and the delay in diagnosis and
16 treatment, Plaintiff ES, A MINOR, is left with permanent vision loss in the left eye of approximately
17 20/300.

18 17. The Sandberg's did not discover the negligence until October 25, 2019 and a timely
19 FTCA claim was filed on July 20, 2020. More than six months has elapsed since the filing of the
20 claim and this complaint is timely under the FTCA.

21 /

22 **PRAYER FOR RELIEF**

23 Wherefore,

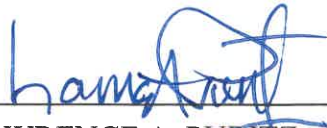
- 24 1. Plaintiff claims non-economic damages more than \$250,000.00.
25 2. Plaintiff claims economic damages more than \$20,000.00:
26 3. And for such other and further relief as the Court deems proper.

27 /

Respectfully submitted,

LAW OFFICES OF LAWRENCE A. PURITZ

11/30/2022
DATE


LAWRENCE A. PURITZ
Attorney for Plaintiff, ES, A MINOR,
by and through her Guardian Ad Litem Ross Sandberg